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ACTIVITIES OF THOSE FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA

Report of the Fourth Committee

Rapporteur: Mr. Khalid Mohammad AL-BAKER (Qatar)

1. At its 3rd plenary meeting, on 18 September 1992, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-seventh session the item entitled:

> "Activities of those foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa".

At the same meeting, the Assembly decided to allocate the item to the Fourth Committee.

2. At its 2nd meeting, on 6 October, the Fourth Committee decided to hold a general debate covering agenda items 18, 98, 99, 100 and 12, 104 and 105, on the understanding that individual proposals on matters covered by those items would be considered separately.

3. At the same meeting, the Fourth Committee decided, without objection and in accordance with established practice, to consider, in conjunction with agenda item 99, chapter VI, of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to military

activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration. 1/

4. The Fourth Committee considered item 99 at its 2nd to 8th meetings, between 6 October and 3 November (see A/C.4/47/SR.2-8). The general debate on the items referred to above, including the present item, took place at the 3rd to 7th meetings, between 13 and 22 October.

5. Also at the 2nd meeting, on 6 October, the Rapporteur of the Special Committee made a statement in which he gave an account of the relevant activities of the Special Committee during 1992 and drew attention to chapter V of the report of the Committee relating to item 99, 1/ as well as the relevant documentation (A/AC.109/1104/1117-1119, 1123 and 1124). The Rapporteur also gave an account of the Committee's consideration, in pursuance of paragraph 14 of General Assembly decision 46/419 of 11 December 1991, of the question of military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and drew attention to chapter VI of the report of the Committee, 1/ as well as the relevant documentation (A/AC.109/1103, 1110 and 1113).

6. At its 3rd meeting, on 13 October, the Fourth Committee granted a request for hearing to Mr. J. A. González-González (A/C.4/47/5). At the same meeting, Mr. González-González made a statement (A/C.4/47/SR.3).

7. At its 8th meeting, on 3 November, the Fourth Committee adopted the draft resolution contained in paragraph 15 of chapter V of the report of the Special Committee (A/47/23 (Part III)) by a recorded vote of 89 to 32, with 8 abstentions (see para. 9). 2/ The voting was as follows:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica,

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1/ See A/47/23 (Part III). To be incorporated in Official Records of the General Assembly, Forty-seventh Session, Supplement No. 23 (A/47/23).

2/ Statements in explanation of vote were made by the representatives of Argentina, Austria, Denmark (on behalf also of Finland, Iceland, Norway and Sweden), the Russian Federation, the United Kingdom of Great Britain and Northern Ireland (on behalf also of the European Community) and the United States of America.

Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Zaire, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Congo, Côte d'Ivoire, Panama, Paraguay, Republic of Korea, Ukraine, Uruguay.

8. At its 8th meeting, on 3 November, the Fourth Committee adopted the draft decision contained in paragraph 12 of chapter VI of the report of the Special Committee (A/47/23 (Part III)) by a recorded vote of 90 to 33, with 7 abstentions (see para. 10). 2/ The voting was as follows:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Zaire, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Congo, Côte d'Ivoire, Panama, Paraguay, Republic of Korea, Uruguay.

RECOMMENDATIONS OF THE FOURTH COMMITTEE

9. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolution:

Activities of those foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa

The General Assembly,

Having considered the item entitled "Activities of those foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa",

Having examined the chapter of the report of the Special Committee on the Situation with regar to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item, 3/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as all its other resolutions on this subject, including, in particul , resolution 46/181 of 19 December 1991, endorsing the Plan of Action for the International Decade for the Eradication of Colonialism, 4/

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their

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3/ A/47/23 (Part III), chap. V.

4/ See A/46/634/Rev.1 of 13 December 1991.

administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that those economic and other activities which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstruct efforts aimed at the elimination of colonialism, apartheid and racial discrimination in South Africa and in colonial Territories are in direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

Seriously concerned about the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, thus depriving them of their right to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Gravely concerned that certain countries, transnational corporations and international financial institutions have continued their economic relations with South Africa,

Recognizing the crucial and decisive role that the imposition of international sanctions has played in applying the necessary pressure on the South African regime to undertake significant measures towards the eradication of apartheid,

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item; 3/

2. Reaffirms the inalienable right of the peoples of colonial and Non-Self-Governing Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

3. Reiterates that any administering or occupying Power that deprives the colonial peoples of the exercise of their legitimate rights over their natural resources or subordinates the rights and interests of those peoples to foreign economic and financial interests violates the solemn obligations it has assumed under the Charter of the United Nations;

4. Reaffirms its concern over the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, thus depriving them of their right to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence;

5. Condemns the activities of those foreign economic and other interests in the colonial Territories which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism, apartheid and racial discrimination;

6. Strongly condemns the collaboration with the South African regime by certain countries as well as transnational corporations that continue to make new investments in South Africa and supply the racist regime with armaments, nuclear technology and all other materials that are likely to buttress it and thus aggravate the threat to peace in the region;

7. Calls upon all States to maintain the existing measures against the apartheid regime as specified in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, annexed to General Assembly resolution S-16/1 of 14 December 1989;

8. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

9. Calls upon those oil-producing and oil-exporting countries that have not yet done so to take effective measures against the oil companies concerned so as to terminate the supply of crude oil and petroleum products to the racist regime of South Africa;

10. Reiterates that the exploitation and plundering of the marine and other natural resources of colonial and Non-Self-Governing Territories by foreign economic interests, in violation of the relevant resolutions of the United Nations, are a grave threat to the integrity and prosperity of those Territories;

11. Invites all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of colonial and Non-Self-Governing Territories over their natural resources is fully respected and safeguarded;

12. Urges the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial and Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

13. Calls upon the administering Powers concerned to ensure that no discriminatory and unjust wage systems or working conditions prevail in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

14. Requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of those activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

15. Appeals to mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and in the struggle against apartheid and the mobilization of international public opinion against the policy pursued by the South African apartheid regime and to oppose the relaxation of existing measures against the regime, in order to accelerate the process of constitutional change with the aim of establishing a united, democratic and non-racial South Africa;

16. Decides to continue to monitor closely the situation in the colonial and Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of the indigenous peoples and at promoting the economic and financial viability of those Territories, in order to facilitate and accelerate the exercise by the peoples of those Territories of their right to self-determination and independence;

17. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its forty-eighth session.

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10. The Fourth Committee also recommends to the General Assembly the adoption of the following draft decision:

Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1. The General Assembly, having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to an item on the agenda of the Special Committee entitled "Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" 5/ and recalling its resolution 1514 (XV) of 14 December 1960 and all other resolutions and decisions of the United Nations relating to military activities in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination and reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration, should be withdrawn and that no further entrenchment should be condoned.

2. Aware of the presence of such bases and installations in some of those Territories, the General Assembly urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States, and to comply fully with the purposes and principles of the Charter of the United Nations.

3. The General Assembly reiterates its condemnation of all those military activities and arrangements by colonial Powers in Territories under their administration that might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Assembly once again calls upon the colonial Powers concerned to terminate such activities and to eliminate such military bases in compliance with the relevant resolutions of the Assembly.

4. The General Assembly reiterates that the colonial Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The General Assembly welcomes the important changes taking place in South Africa aimed at facilitating the commencement of substantive constitutional negotiations. The Assembly notes that, these developments notwithstanding, apartheid remains firmly entrenched and that as a result there is a continuing threat to the peace and security of the region.

5/ A/47/23 (Part III), chap. VI.

6. The General Assembly notes with grave concern revelations of covert funding and collusion by the South African regime with certain political organizations and reports of the involvement of its security forces in perpetrating acts of violence.

7. The General Assembly condemns the continued military, nuclear and intelligence collaboration between South Africa and certain countries, which constitutes a violation of the military embargo imposed against South Africa by the Security Council in its resolution 418 (1977) of 4 November 1977, and which poses a threat to international peace and security. The Assembly urges the Council to consider, as a matter of urgency, the report of the Security Council Committee established under its resolution 421 (1977) of 9 December 1977 6/ and to adopt further measures to widen the scope of Council resolution 418 (1977) in order to make it more effective and comprehensive. The Assembly calls for an immediate end to all forms of such collaboration. The Assembly further calls for the scrupulous observance of resolution 558 (1984) of 13 December 1984, in which the Council enjoined Member States to refrain from importing armaments from South Africa.

8. The General Assembly considers that the acquisition of nuclear-weapon capability by the South African regime, with its infamous record of violence and aggression, constitutes a further effort on its part to terrorize and intimidate independent States in the region into submission. The Assembly condemns the continuing support to the South African regime in the military and other fields. In this context, the Assembly expresses its concern at the grave consequences for international peace and security of the collaboration between the apartheid system in South Africa and certain Western Powers and other countries in the military and nuclear fields. It calls upon the States concerned to end all such collaboration and, in particular, to halt the supply to the apartheid system of equipment, technology, materials and training enabling the regime to increase its capability to manufacture nuclear weapons.

9. The General Assembly strongly condemns the continuing collaboration of certain countries with the racist regime in the military and nuclear fields and expresses its conviction that such collaboration is in contravention of the arms embargo imposed against South Africa under Security Council resolution 418 (1977) and undermines international solidarity against the apartheid regime. The Assembly thus calls for the termination forthwith of all such collaboration.

10. The General Assembly is particularly mindful in that regard of the Declaration on South Africa, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-seventh ordinary

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6/ Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980, document S/14179.

session, held at Abuja, Nigeria, from 3 to 5 June 1991, 7/ the report of the Tenth Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Accra from 2 to 7 September 1991, 8/ and the Communiqué, adopted by the Heads of Government of the countries of the Commonwealth at their meeting held at Harare from 16 to 22 October 1991. 9/

11. The General Assembly urges all Governments, the specialized agencies and other intergovernmental organizations to provide increased material assistance to the thousands of refugees who have been forced by the oppressive policies of the apartheid regime in South Africa to flee into the neighbouring States and for the purpose of resettlement of those who are returning.

12. The General Assembly deplores the continued alienation of land in colonial Territories, particularly in the small island Territories of the Pacific and Caribbean regions, for military installations. The large-scale utilization of the local resources for this purpose could adversely affect the economic development of the Territories concerned.

13. The General Assembly requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of the facts concerning the military activities and arrangements in colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV).

14. The General Assembly requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the Assembly at its forty-eighth session.

7/ See A/46/390, annex II, declaration AHG/Decl.4 (XXVII).

8/ A/46/726-S/23265, annex.

9/ A/46/708, annex.